Court No.2

Writ Petition No. 305 of 2001 (S/B)
(Old No.31194 of 1997)

B.K. Mittal …….. Petitioner

Vs.

Chairman/Managing Director,
Central Bank of India, Chjandra Mukhi,
Nirman Point, Mumbai and others…….…….. Respondent

….....

Hon. P.C. Verma, A.C.J.
Hon. Irshad Hussain, J.

Heard Sri Pankaj Miglani, learned counsel for the petitioner and Sri B.D. Kandpal, learned Standing Counsel.

This petition has been filed by the petitioner, inter alia, seeking a writ of certiorari to quash the memo dated 2.4.1996 to the extent of disposal of the representation dated 20.7.1994 and writ of mandamus commanding the respondents to make full payment of his medical bills which were submitted on 24.1.1996, 18.3.1996 and 20.12.1996.

Under the orders of this Court, petitioner was paid Rs.1,70,000/- (Rupees One Lakhs Seventy Thousand) for medical treatment. According to the learned counsel for the petitioner, the petitioner is entitled for 100% payment. The total bill is of Rs. 2,34,416.05. The petitioner is claiming reimbursement of the rest of the amount.

Learned counsel for the respondent has invited our attention to Regulation 24 as amended in 1995 contained in Annexure S.C.A.1, which provides 100% payment shall be made, but that payment shall be made subject to certain procedure provided in guide lines contained in Annexure B and Annexure 1 to the Regulation. As per Annexure 1 to the Regulation, the maximum amount payable is 1,18,000/-. The purpose of framing of such Regulation is to check the payment of excessive bills by showing higher prices. The medical reimbursement is given as facility in service. The bills and vouchers submitted regarding the medical aid have not been disputed. Since these are actual expenses incurred by the petitioner, therefore, the authorities are directed to examine the bills and vouchers relating to the medical aid of the petitioner and if the bills and vouchers are found to be genuine, that shall be adjusted towards the advance amount. If the balance remains, the same shall be reimbursed to the petitioner ignoring the ceiling

imposed by the Regulation contained in the Annexure SCA1. This we have provided in view of the apex Court judgment in State of Punjab and others Vs. Mohinder Singh Chawla(AIR 1997 Supreme Court 1225) However, it is made clear that any other bill relating to the fooding and transportation of the attendant shall not be reimbursed.

The petition is disposed of accordingly.

(P.C. Verma, A.C.J.) **(Irshad Hussain, J.)**

Dt. 1.07.2003
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